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MS PCT
PATENT
0630-2291PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Jong-Mog KIM et al.

International
(PCT) Appl. No.: PCT/KR2003/000576 U.S. Appl. No.: NEW

Filed: April 8, 2005

For: HERMETIC COMPRESSOR

RECEIVED
26 SEP 2005
International Legal Staff Division

PETITION FOR REVIVAL OF AN INTERNATIONAL
APPLICATION FOR PATENT DESIGNATING THE U.S.
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 8, 2005

Sir:

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. § 371(c) were not filed prior to the expiration of the time set in 37 C.F.R. § 1.494(b) or (c) or § 1.495(b) or (c) as applicable). The date of abandonment is the day after the date on which the 35 U.S.C. § 371(c) requirements were due. See 37 C.F.R. § 1.494(g) or § 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Proper reply;
- (3) Terminal disclaimer with disclaimer fee -- required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

04/13/2005 GFREY1 00000101 022448 10530749

05 FC:1453 130.00 DA 1370.00 OP

1. Petition fee

Small entity - fee \$685.00 (37 C.F.R. § 1.17(m)).

Applicant claims small entity status. See 37 C.F.R. § 1.27.

Other than small entity - fee \$1,370.00 (37 C.F.R. § 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. § 371(c) requirement(s) in the form of a New National Phase Application (identify type of reply):

has been filed previously on .

is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 C.F.R. § 1.20(d)) of \$55.00 for a small entity or \$110.00 for other than a small entity) disclaiming the required period of time is enclosed herewith.

4. Statement: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

No fee is required.

- A check in the amount of \$2,410.00 to cover the Petition, Filing Fee, Search Fee, Examination Fee and Recordation Fee is enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James T. Eller, Jr., #39,538

JTE/clb
0630-2291PUS1

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments: Fee Payment
 Response
 Terminal Disclaimer Form
 Other: